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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

TECH CENTER 1600/2000

HANSEN

Art Unit: 1853

Application No.: 09/894,030

Examiner: G. Bugaisky

Filed: June 29, 2001

Attorney Dkt. No.: 108172-00058

For: CONSTRUCTION OF A STRUCTURAL VARIANT OF SUBLANCIN TO FACILITATE ITS ISOLATION AND USE IN BIOREMEDIATION OF ENVIRONMENTAL CONTAMINATION BY GRAM-POSITIVE SPORE FORMERS SUCH AS BACILLUS ANTHRAXIS

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Petitioner, University of Maryland, having its place of business at 6200 Baltimore Avenue, Suite 300, College Park, Maryland 20742-9520, USA, represent that they are the assignees and owners of all right, title and interest in and to U. S. Patent Application Serial No. 09/894,030, filed June 29, 2001, for CONSTRUCTION OF A STRUCTURAL VARIANT OF SUBLANCIN TO FACILITATE ITS ISOLATION AND USE IN BIOREMEDIATION OF ENVIRONMENTAL CONTAMINATION BY GRAM-POSITIVE SPORE FORMERS SUCH AS BACILLUS ANTHRAXIS, the assignment for the application being recorded in the Patent and Trademark Office on June 29, 2001 at Reel 011954, Frame 0115. Petitioner is also the assignee of all right, title, and interest in and to U. S. Patent Application No.

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09/462,478, filed April 17, 2000 for SUBLANCIN LANTIBIOTIC PRODUCED BY BACILLUS SUBTILIS 168.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. 09/894,030, which would extend beyond the expiration date of any Patent issued on Application No. 09/462,478, and hereby agrees that any patent so granted on application Serial No. 09/894,030, shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to any patent issued on Patent Application No. 09/462,478 this agreement to run with any patent granted on application Serial No. 09/894,030, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issued on Patent Application No. 09/462,478 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.


2

Application No. 09/894,030
Attorney Docket No. 108172-00058

The undersigned on behalf of petitioner, University of Maryland, hereby state and declare that they have the authority to execute this Terminal Disclaimer on behalf of the petitioners.

Respectfully submitted,

University of Maryland


By: James A. Poulos
Title: Executive Director
Date: March 26, 2003

3

Application No. 00/894,030
Attorney Docket No. 108172-00058

TOTAL P.04